

EXHIBIT A

AUG 29 2023

PETER A. MOORE, JR., CLERK
US DISTRICT COURT, EDNC
BY *[Signature]* DEP CLK

Western Division

5:23-CV-00470-D.

Defendants.

§ 87(2)(b)

1

5. Unnamed party John Does 1-5 are telemarketers that operate overseas and make telemarketing phone calls for the overseas marketing company at the direction and control of Defendant Stover. John Does 1-5 are out of the reach and jurisdiction of the laws of the United States.

JURISDICTION AND VENUE

6. Jurisdiction. This Court has federal-question subject matter jurisdiction over Plaintiff's TCPA claims pursuant to 28 U.S.C. § 1331 because the TCPA is a federal statute. *Mims v. Arrow Fin. Servs., LLC*, 565 U.S. 368, 372 (2012).

7. This Court has supplemental subject matter jurisdiction over Plaintiff's claim arising under North Carolina Law because that claim: arises from the same nucleus of operative fact, i.e., Defendants' telemarketing robocalls to Plaintiff; adds little complexity to the case; so it is unlikely to predominate over the TCPA claims.

8. Personal Jurisdiction. This Court has specific personal jurisdiction over Defendants Stover and Darius because Defendants purposefully availed itself to North Carolina residents and to this District, and there is a sufficient relationship between Defendants' purposeful contacts with North Carolina and the litigation.

- a. Defendants target North Carolina when marketing their goods and services and regularly conduct business in this District, including telephone solicitations.
- b. Its agents called Plaintiff's North Carolina area phone number ending in 9210 to generate leads for Defendants.
- c. Defendants purposefully made unauthorized calls to Plaintiff into North Carolina and this District.
- d. The purposeful calls injured Plaintiff in North Carolina, creating a causal link

among Defendants, the forum, and the litigation that exceeds the non-causal affiliation that is sufficient to support personal specific jurisdiction. *See Ford Motor Co. v Mont. Eight Jud. Dist. Ct.*, 141 S. Ct. 1017 (2021).

9. Venue is proper in this District pursuant to 28 U.S.C. § 1391(b)(1)-(2) because a substantial part of the events giving rise to the claims—the calls and sale of goods and services directed at North Carolina residents, including the Plaintiff—occurred in this District and because the Plaintiff resides in this District. Residing in the Western District of North Carolina when Plaintiff received every single unauthorized call from Defendants that is the subject matter of this lawsuit.

10. This Court has venue over Defendants because the unauthorized calls at issue were sent by Defendant Stover overseas marketing company to Plaintiff, a North Carolina resident.

THE TELEPHONE CONSUMER PROTECTION ACT
OF 1991, 47 U.S.C. § 227

11. In 1991, Congress enacted the TCPA to restrict the use of sophisticated telemarketing equipment that could target millions of consumers *en masse*. Congress found that these calls were not only a nuisance and an invasion of privacy to consumers specifically but were also a threat to interstate commerce generally. *See* S. Rep. No. 102-178, at 2-3 (1991), as reprinted in 1991 U.S.C.C.A.N. 1968, 1969-71.

12. The TCPA makes it unlawful “to make any call (other than a call made for emergency purposes or made with the prior express consent of the called party) using an automatic telephone dialing system (“ATDS”) or an artificial or prerecorded voice ... to any telephone number assigned to a ... cellular telephone service.” 47 U.S.C. § 227(b)(1)(A)(iii).

13. The TCPA makes it unlawful “to initiate any telephone call to any residential telephone

line using an artificial or prerecorded voice to deliver a message without the prior express consent of the called party, unless the call is initiated for emergency purposes, is made solely pursuant to the collection of a debt owed to or guaranteed by the United States or is exempted by rule or order” of the Federal Communication Commission (“FCC”). 47 U.S.C. § 227(b)(1)(B).

14. The TCPA provides a private cause of action to persons who receive calls in violation of § 227(b). 47 U.S.C. § 227(b)(3).

15. Separately, the TCPA bans telemarketing calls without a do-not-call policy available upon demand. 47 U.S.C. § 227(c); 47 C.F.R. § 64.1200(d)(1).¹

16. The TCPA provides a private cause of action to persons who receive calls in violation of § 227(c) or a regulation promulgated thereunder. 47 U.S.C. § 227(c)(5).

17. According to findings of the FCC, the agency vested by Congress with authority to issue regulations implementing the TCPA, automated or prerecorded telephone calls are a greater nuisance and invasion of privacy than live solicitation calls and can be costly and inconvenient.

18. The FCC also recognizes that “wireless customers are charged for incoming calls whether they pay in advance or after the minutes are used.” *In re Rules and Regulations Implementing the Tel. Consumer Prot. Act of 1991*, 18 FCC Rcd. 14014, 14115 ¶ 165 (2003).

19. The FCC requires “prior express written consent” for all autodialed or prerecorded telemarketing robocalls to wireless numbers and residential lines. In particular:[A] consumer’s written consent to receive telemarketing robocalls must be signed and be sufficient to show that the consumer: (1) received clear and conspicuous disclosure of the consequences of providing the requested consent, *i.e.*, that the consumer will receive future calls that deliver prerecorded

¹ See Code of Federal Regulations, Title 47, Parts 40 to 60, at 425 (2017) (codifying a June 26, 2003 FCC order).

messages by or on behalf of a specific seller; and (2) having received this information, agrees unambiguously to receive such calls at a telephone number the consumer designates. In addition, the written agreement must be obtained without requiring, directly or indirectly, that the agreement be executed as a condition of purchasing any good or service.

20. *In the Matter of Rules & Regulations Implementing the Tel. Consumer Prot. Act of 1991*, 27 FCC Rcd. 1830, 1844 ¶ 33 (2012) (footnote and internal quotation marks omitted). FCC regulations “generally establish that the party on whose behalf a solicitation is made bears ultimate responsibility for any violations.” *In the Matter of Rules and Regulations Implementing the Tel. Consumer Prot. Act of 1991*, 10 FCC Rcd. 12391, 12397 ¶ 13 (1995).

21. The FCC confirmed this principle in 2013, when it explained that “a seller ... may be held vicariously liable under federal common law principles of agency for violations of either section 227(b) or section 227(c) that are committed by third-party telemarketers.” *In the Matter of the Joint Petition Filed by Dish Network, LLC*, 28 FCC Rcd. 6574, 6574 ¶ 1 (2013).

22. Under the TCPA, a text message is a call. *Satterfield v. Simon & Schuster, Inc.*, 569 F.3d 946, 951 – 52 (9th Cir. 2009).

23. A corporate officer involved in the telemarketing at issue may be personally liable under the TCPA. *E.g., Jackson Five Star Catering, Inc. v. Beason*, Case No. 10-10010, 2013 U.S. Dist. LEXIS 159985, at *10 (E.D. Mich. Nov. 8, 2013) (“[M]any courts have held that corporate actors can be individually liable for violating the TCPA where they had direct, personal participation in or personally authorized the conduct found to have violated the statute.” (internal quotation marks omitted)); *Maryland v. Universal Elections*, 787 F. Supp. 2d 408, 415 – 16 (D. Md. 2011) (“If an individual acting on behalf of a corporation could avoid individual liability, the TCPA would lose much of its force.”).

THE NORTH CAROLINA STATE TELEMARKETING REGULATIONS

Article 4, Section 75-102

24. North Carolina restricts telephone solicitations and provides a private right of action per state law.

25. Defendant violated 75-102(c)(1), 75-102(c)(2), 75-102(c)(3), 75-102(c)(4), and 75-102(d) and 75-102(e), and 75-102(i).

26. Per section 75-105, Plaintiff is entitled to \$500 for the first violation, \$1,000 for the second violation, and \$5,000 for the third and each subsequent violation. Plaintiff alleges multiple violations of the North Carolina statute occurred in each call.

FACTUAL ALLEGATIONS

27. Plaintiff personally and successfully registered his phone number ending in 3782 to the National Do-Not-Call Registry ("DNC").

28. Defendants routinely violate the TCPA as part of their business model and knowingly and willfully commit TCPA violations.

29. Plaintiff received at least five (5) unauthorized prerecorded message calls to his personal cell phone ending in 3782 from Defendant Stover's agent soliciting final expense life insurance policies.

30. Upon information and belief Defendant Stover's overseas telemarketers, called Plaintiff more times over the last four (4) years that he is currently unaware of without the benefit of Discovery.

31. Upon information and belief Defendant Stover used other marketing agencies to contact Plaintiff over the last four (4) years that Plaintiff is unaware of at this time without the benefit of Discovery

32. Plaintiff did not have an existing business relationship with Defendant and has never been a customer of Defendant.

33. Plaintiff did not consent to any of the calls alleged herein.

34. Call #1, DNC Request #1, on August 02, 2023, at 4:10 PM, Plaintiff received the first call to his personal cell phone ending in 3782 from Defendant Stover telemarketer with 910-226-6346 displayed on Plaintiff's caller identification.

35. Plaintiff answered the phone and was greeted by artificial intelligence interactive robot message that solicited final expense life insurance policies. ("ai robot message").

36. Plaintiff engaged the robot so that he could speak with a live agent. After Plaintiff was transferred to a live agent, he told them he wasn't interested and to remove him from the calling list, and then disconnected the line.

37. Call #2, DNC Request #2, on August 04, 2023, at 9:31 AM, Plaintiff received a call to his personal cell phone ending in 3782 from Defendant Stover's telemarketer with 910-360-7360 displayed on Plaintiff's caller identification.

38. Plaintiff answered the phone and was greeted by the ai robot message described in paragraph 34 "ai robot message." Plaintiff engaged the robot for the sole purpose of identifying the party(s) responsible for the annoying calls.

39. Plaintiff was transferred to an agent and after Plaintiff provided his information, the telemarketer informed Plaintiff that he didn't qualify for the policy because of his age. Plaintiff said, "Okay, then take me off your list now."

40. Calls #3-4, Plaintiff received at least two calls within a 24-hour period, when Plaintiff answered he was greeted with the ai robot message described in paragraph 34 "ai robot message." Each time Plaintiff hung the phone up without engaging the robot telemarketer.

41. Call # 5, on August 09, 2023, at 6:24 PM, Plaintiff received a call to his personal cell phone ending in 3782 from Defendant Stover telemarketer with 910-725-2961 displayed on Plaintiff's caller identification.

42. Plaintiff answered the phone and was greeted by the ai robot message described in paragraph 34 "ai robot message." Plaintiff engaged the robot for the sole purpose of identifying the party(s) responsible for the annoying calls.

43. This time Plaintiff gave the phone to a friend, "Jaime," who is 59 years old so that he could verify who was calling.

44. Plaintiff's friend spoke with a telemarketer named Steven who gathered information and stated a licensed coordinator would call him back in 48 hours.

45. Call #6, on August 11, 2023, at 2:38 PM, Plaintiff received the first call to his personal cell phone ending in 3782 from Defendant Stover's agent Darrell with 832-617-6895 displayed on Plaintiff's caller identification. Darrell asked for Plaintiff's friend by name "Jaime" and stated this call came from Steven whom he spoke with two days ago.

46. Jaime was nearby and so Plaintiff handed him the phone. Darrell informed Jaime that his company The Stover Group was "linked up" with the telemarketers, and that's how they get so many clients.

47. He stated the owner, Darius trains the telemarketers himself, approves of the scripts they use, and pays them for each client sent to Stover's agents.

48. Darius eventually sent Jaime documents, via email, confirming Stover's connection to the calls.

49. Table A shows the calls sent to Plaintiff by Defendant Stover.

TABLE A:

Number:	Date:	Time:	Caller ID:	Notes:
1.	8/2/2023	4:10 PM	910-226-6346	prerecorded message call "ai robot message" DNC Request #1
2.	8/4/2023	9:31 AM	910-360-7360	prerecorded message call "ai robot message" DNC Request #2
3.	8/7/2023	4:02 PM	910-360-7242	prerecorded message call "ai robot message" – hung up
4.	8/9/2023	12:39 PM	910-725-2553	prerecorded message call "ai robot message" – hung up
5.	8/9/2023	6:24 PM	910-725-2961	prerecorded message call "ai robot message" – spoke with Steven
6.	8/11/2023	2:38 PM	832-617-6895	Direct call from Darrel – received documents

50. Each and every solicitation call from Defendant Stover's overseas telemarketers, including the direct call from agent Darrell was a knowing and willful violation of the TCPA as Plaintiff had delivered a DNC request to Defendant on August 02, 2023, and on August 04, 2023.

51. Each and every phone call between August 04, 2023, and August 11, 2023, was a knowing and willful violation as Plaintiff had informed Defendants' agent, he was not interested and or to stop calling.

52. Defendant placed multiple unauthorized prerecorded robocalls to Plaintiff within a twelve-month period to Plaintiff's residential phone line, listed on the National DNC, which violated 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c).

53. On information and belief, Defendant Stover did not have a written do-not-call policy while their overseas telemarketers were sending Plaintiff the robocalls.

54. No emergency necessitated any of the alleged calls.

55. Plaintiff has limited data storage capacity on his cellular telephone. Incoming telemarketing calls consumed part of this capacity.

**VICARIOUS LIABILITY OF DEFENDANT STOVER FOR PHONE CALLS PLACED
BY THE OVERSEAS TELEMARKETERS AND DARRELL**

56. Defendant Stover is “vicariously liable” under federal common law principles of agency for TCPA violations committed by third-party telemarketers,” such as the overseas marketing company. *In re Joint Pet. filed by Dish Network, LLC*, 28 F.C.C.R. 6574, 6582 (2013).

57. Stover pays for the calls that the telemarketers make.

58. Stover writes the script which is used by the telemarketers and Darrell, and trains each and every employee overseas directly on the usage of the scripts.

59. Stover controls whom the calls are sent to.

60. Stover monitors and records each call.

61. Stover controls the system which is used to make the calls.

62. Stover pays directly for each client sent as a result of the illegal telemarketing calls made.

PERSONAL LIABILITY OF DEFENDANT DARIUS

63. Defendant Darius is personally liable for Stover and the overseas telemarketers' actions because he trained the telemarketers himself.

64. Darius directed the illegal calls being made.

65. Darius personally wrote the script which Stover provided to the telemarketers.

66. Darius is in charge of which agent in his company speaks to each and every client that is sent from the overseas telemarketers as a result of the illegal calls.

67. Darius not only approves of the illegal behavior but in fact encourages it.

68. Defendants Stover and Darius operate as an indistinguishable common enterprise.

**INJURY, HARM, DAMAGES, AND ACTUAL DAMAGES AS A RESULT OF THE
CALLS**

69. Defendants' calls harmed Plaintiff by causing the very harm that Congress sought to prevent—a "nuisance and invasion of privacy."

70. Defendants' calls harmed Plaintiff by trespassing upon and interfering with Plaintiff's rights and interests in Plaintiff's cellular telephone.

71. Defendants' calls harmed Plaintiff by intruding upon Plaintiff's seclusion.

72. Plaintiff has been harmed, injured, and damaged by the calls including, but not limited to: reduced device storage, reduced data plan usage, anger, frustration, invasion of privacy, and more frequent charging of his cell phone.

PLAINTIFF'S CELL PHONE IS A RESIDENTIAL NUMBER

73. The calls were to Plaintiff's personal cell phone ending in 3782 which he uses for personal, family, and household use. Plaintiff maintains no landline phones at his residence and has not done so for at least 16 years and primarily relies on cellular phones to communicate with friends and family. Plaintiff also uses his cell phone for navigation purposes, sending and receiving emails, timing food when cooking, and sending and receiving text messages. Plaintiff further has his cell phone registered in his personal name, pays for the cell phone from his personal accounts, and the phone is not primarily used for any business purpose.

CAUSES OF ACTION:

COUNT ONE:

(Non-Emergency Robocalls to Cellular Telephones, 47 U.S.C. § 227(b)(1)(A)(iii))

(Against All Defendants)

74. Plaintiff re-alleges and re-adopts paragraphs 1 through 73 of the Complaint as if fully set forth herein.

75. Defendants Stover and Darius and/or their affiliates or agents violated the TCPA, 47 U.S.C. § 227(b)(1)(A)(iii), at least five (5) times by placing non-emergency telemarketing automated prerecorded messaged calls to Plaintiff's cellular telephone number without prior express written consent.

76. Plaintiff was statutorily damaged at least five (5) times under 47 U.S.C. § 227(b)(3)(B) by Defendant s Stover and Darius by the calls described above, in the amount of \$500.00 per call.

77. Plaintiff was further statutorily damaged because Defendants Stover and Darius willfully or knowingly violated this subsection of the TCPA. Plaintiff requests that the court treble the damage amount to \$1,500.00 as permitted under U.S.C. § 227(b)(3)(C) for each and every willful and/or knowing violation.

78. Plaintiff is also entitled to and does seek an injunction prohibiting Defendants Stover and Darius and their employees, affiliates, and agents from violating the TCPA, 47 U.S.C. § 227(b)(1)(A)(iii), by placing non-emergency telemarketing automated prerecorded messaged calls to any cellular telephone number without prior express written consent.

COUNT TWO:

(Violation of the TCPA "Sales Call/DNC" Prohibition, 47 U.S.C. 227(c), and 47 C.F.R. §

64.1200(C))

(Against All Defendants)

79. Plaintiff incorporates the preceding paragraphs 1-73 as if fully set forth herein.

80. The foregoing acts and omissions of Defendants Stover and Darius and/or their affiliates

or agents constitute a violation of FCC regulations by making multiple telemarketing solicitations to a consumer on the National Do-Not-Call Registry within a 12-month period in violation of 47 C.F.R. § 64.1200(c)(2).

81. Defendants Stover and Darius and/or their agents, called Plaintiff's private residential telephone which was successfully registered on the National Do-Not-Call Registry more than thirty-one (31) days prior to the alleged calls, in violation of 47 U.S.C § 227(c)(3)(F), and 47 C.F.R. § 64.1200(c)(2).

82. Plaintiff was statutorily damaged at least six (6) times under 47 U.S.C. § 227(c)(3)(F) by Defendants Stover and Darius calls described above, in the amount of \$500 per call.

83. Plaintiff is entitled to an award of at least \$500 in damages for each such violation of 47 U.S.C. § 227(c)(5)(B) and 47 C.F.R. § 64.1200(c)(2).

84. Plaintiff is entitled to an award up to \$1,500 in damages for each knowing or willful violation of 47 U.S.C. § 227(c)(3)(F) and 47 C.F.R. § 64.1200(c)(2).

COUNT THREE:

**Violations of the North Carolina Telemarketing Regulations Chapter 74, article 4 et seq
(Against All Defendants)**

85. Plaintiff realleges and incorporates paragraphs 1-73 as it fully set forth herein.

86. The foregoing acts omission of Defendants Stover and Darius and their affiliates of agents constate multiple violations of Chapters 75-102(c)(1), 75-102(c)(2), 75-102(c)(3), 75-102(c)(4), and 75-102(d) and 75-102(e), and 75-102(i).

87. Plaintiff is entitled to \$500 for the first violation, \$1,000 for the second violation, and \$5,000 for the third and each subsequent violations, along with attorney's fee and costs. Plaintiff is alleging multiple violations of the statute in each call.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff Brandon Callier prays for judgment against the Defendants Stover and Darius jointly and severally as follows:

- A. Leave to amend this Complaint to name additional DOESs as they are identified and to conform to the evidence presented at trial;
- B. An injunction enjoining Defendants Stover and Darius and their affiliates and agents from engaging in the unlawful conduct set forth herein;
- C. An award of \$1,500 per call in statutory damages arising from the TCPA §227 (b); for 5 calls.
- D. An award of \$1,500 per call in statutory damages arising from the TCPA §227 (c); for 6 calls.
- E. An award of \$1,500 per call in statutory damages arising from TCPA 47 C.F.R. § 64.1200(c); for 5 calls.
- F. An award of not less than \$15,000 in statutory damages arising from violations of the North Carolina telemarketing laws per call;
- G. An award to Mr. Callier of damages, as allowed by law under the TCPA;
- H. An award to Mr. Callier of interest, costs, and attorneys' fees, as allowed by law and equity;
- I. Such further relief as the Court deems necessary, just, and proper;

August 25, 2023,

Respectfully submitted,



Brandon Callier
Plaintiff, Pro Se
4406 Rose Meadow Dr,
Hope Mills, NC 28348
910-725-3782
Brandoncallier89@gmail.com

DEMAND FOR JURY TRIAL

Plaintiff hereby demands a trial by jury on all claims so triable.

Aug. 25, 2023,

Respectfully submitted,



Brandon Callier
Plaintiff, Pro Se
4406 Rose Meadow Dr,
Hope Mills, NC 28348
910-725-3782
Brandoncallier89@gmail.com

5:23-cv-00470-D

JS 44 (Rev. 04/21)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

BRANDON CALLIER

(b) County of Residence of First Listed Plaintiff **CUMBERLAND**
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

PRO SE

DEFENDANTS

FAMILY ADVANTAGE PLUS GROUP LLC, and DARIUS STOVER

County of Residence of First Listed Defendant **GWINNETT**
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff ☒ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: Nature of Suit Code Descriptions.

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 INTELLECTUAL PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark <input type="checkbox"/> 880 Defend Trade Secrets Act of 2016 SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692) <input checked="" type="checkbox"/> 485 Telephone Consumer Protection Act <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from Another District (specify) ☐ 6 Multidistrict Litigation - Transfer ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

47 U.S.C. § 227

Brief description of cause:
TCPA VIOLATIONS

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.DEMAND \$
114,000CHECK YES only if demanded in complaint:
JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE
8/24/2023

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Western District of North Carolina

BRANDON CALLIER

Plaintiff(s)

v.

FAMILY ADVANTAGE PLUS GROUP LLC, and
DARIUS STOVER

Defendant(s)

Civil Action No. 5:23-cv-00470-D

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Family Advantage Plus Group LLC
c/o registered agent Darius stover
800Venue Way, Unit 8306
Alpharetta, GA 30005

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Brandon Callier
Plaintiff, Pro Se
4406 Rose Meadow Dr
Hope Mills, NC 28348
brandoncallier89@gmail.com
910-725-3782

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: 08/24/2023

Signature of Clerk or Deputy Clerk

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Western District of North Carolina

BRANDON CALLIER

Plaintiff(s)

v.

FAMILY ADVANTAGE PLUS GROUP LLC, and
DARIUS STOVER

Defendant(s)

Civil Action No. *S:23-CV-00470-D*

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Family Advantage Plus Group LLC
c/o registered agent Darius stover
800Venue Way, Unit 8306
Alpharetta, GA 30005

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Brandon Callier
Plaintiff, Pro Se
4406 Rose Meadow Dr
Hope Mills, NC 28348
brandoncallier89@gmail.com
910-725-3782

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: 08/24/2023

Signature of Clerk or Deputy Clerk

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Western District of North Carolina

BRANDON CALLIER

Plaintiff(s)

v.

FAMILY ADVANTAGE PLUS GROUP LLC, and
DARIUS STOVER

Defendant(s)

Civil Action No. **5:23-cv-00470-D**

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To: *(Defendant's name and address)* Darius stover
800Venue Way, Unit 8306
Alpharetta, GA 30005

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Brandon Callier
Plaintiff, Pro Se
4406 Rose Meadow Dr
Hope Mills, NC 28348
brandoncallier89@gmail.com
910-725-3782

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BRANDON CALLIER

Plaintiff(s)

v.

FAMILY ADVANTAGE PLUS GROUP LLC, and
DARIUS STOVER

Defendant(s)

Civil Action No. 5:23-cv-00470-D

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Darius stover
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Alpharetta, GA 30005

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Brandon Callier
Plaintiff, Pro Se
4406 Rose Meadow Dr
Hope Mills, NC 28348
brandoncallier89@gmail.com
910-725-3782

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CLERK OF COURT

Date: 08/24/2023

Signature of Clerk or Deputy Clerk

Brandon Callier
4406 Rose Meadow Dr
Hope Mills, NC 28348



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